

REMARKS

The Examiner objected to the drawings. Corrected sheets are being submitted to clarify the reference numbers in Figures 2 and 3.

The Examiner commented that no brief summary of the invention exists. Applicants note that the *guidelines* merely illustrate a *preferred* layout that is *suggested* for use. It is submitted that no requirement for a summary section exists. Thus, the specification has not been amended in response to the Examiner's comments.

Claims 1 – 18 have been rejected as being anticipated by SCHNEIDER et al. Applicants are submitting declarations under 37 CFR 1.132 attributing part of the reference to applicants, in order to overcome the rejections. Thus, it is respectfully requested that the rejections be withdrawn.

The Examiner has rejected claims 1, 2, 4 – 11, and 13 - 18 as being unpatentable over SREEDHARAN et al. in view of SMYK. Applicants respectfully traverse.

SREEDHARAN et al. describe an intermediate point that can not signal for SVCs. In contrast, claims 1 and 11 require SVC signaling. Claims 1 and 11 enable (or allow) a conventional SVC capable end system to signal for an SVC, and yet have the network handle that connection request via a controller. An aspect of the claimed invention is a mechanism to make things look normal to an SVC enabled end point, yet be handled in a special way in the network. Thus, the overall network context of claims 1 and 11 is different from SREEDHARAN et al.

SMYK does not talk about how an end system to proxy device to ATM switch connection would operate, probably because that is not the subject of this patent. SMYK is

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directed to fail over mechanisms. SMYK does not discuss the end system connectivity in enough detail to anticipate the claimed invention.


Consequently, for at least these reasons it is requested that the Examiner withdraw the rejections of the independent claims and provide an indication of their allowability.

Dependent claims 2 - 10 and 11 - 18 are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations.

Accordingly, applicant respectfully requests reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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